

**BOARD OF ELEVATOR, ESCALATOR AND MOVING WALKWAY
MECHANICS LICENSING BOARD**

**6TH BUSINESS MEETING
MARCH 23, 2015**

PUBLIC SESSION MINUTES

1. CALL TO ORDER

The meeting of March 23, 2015, was called to order at 9:45 A.M. in the Hudson conference Room on the 6th floor at 124 Halsey Street, New Jersey, by James Boydston, Board Chairman. All requirements of the Open Public Meetings Act have been complied with in accordance with N.J.S.A. 10:4-6. The notice of the meeting was mailed to the Newark Star Ledger, Camden Courier Post and the Trenton Times. The notice was also sent to the Secretary of State, Trenton, New Jersey.

The Board Saluted the Flag.

The following Board members were present:

James Boydston
James Byrnes
Edmund DeFilippis
Scott Wallace, Jr.

The following Board members were not present:

Paulina Caploon
Dennis O'Neill

Also present were:

Sandra Dick, Senior Deputy Attorney General, Division of Law
Charles Manning, Regulatory Analyst
David Freed, Acting Executive Director
Francine Widrich, Special Assistant was present from 9:45 to 10:00 A.M.

OFF AGENDA

Mr. Freed advised the Board that he is to become Executive Director of the Board of Accountancy and Board of Court Reporting but will continue to attend meetings of this Board until such time it votes to adopt regulations. He then introduced Ms. Widrich who will serve as Acting Executive Director for the Board until such time as a new, permanent Executive Director is in place.

Ms. Widrich provided her professional background for the Board and discussed the process of creating the actual license application which will come before the Board once regulations have been adopted.

2. APPROVAL OF PUBLIC SESSION MINUTES

- February 23, 2015

Motion made by Mr. Byrnes, seconded by Mr. DeFilippis, unanimously carried to approve the Minutes of the 5th Public Session Business Meeting held February 23, 2015, as amended with minor corrections.

3. BOARD REGULATIONS DISCUSSION

- **Darlene Kane, Budget Officer - Consideration of Fees**
- **Charles Manning - Regulatory Analyst**

13:44M-6.1 Fee schedule

Ms. Kane explained for the Board the process used by the Division of Consumer Affairs to establish initial licensing fees and presented a draft budget. Among factors included for consideration are estimates of the number of initial licensees and operating costs of other boards of similar size. Various line item expenses and overhead costs were discussed.

Ms. Kane further explained that the Division is revenue supported and receives no monies from state taxes or other funds. Therefore the license fee, in conjunction with other minor related fees, should be established at a level capable of generating revenue to sustain the Board's operating costs.

Roundtable discussion ensued regarding a previous estimate of 3500 licensees provided by the Board for use in preparation of the draft budget which included a proposed biennial license fee of \$220.00.

Board recommendation was made that for purposes of establishing the license fee Ms. Kane should revise the estimated number of licensees to 2950.

Ms. Kane advised that the budget could be revised quickly using the new estimated number of licensees, returned to her office, and re-joined the meeting later in public session. She presented a new draft budget which included a proposed biennial license fee of \$260.00.

Ms. Kane reviewed the balance of itemized fees contained in the fee schedule advising that those fees are uniform throughout almost all of the Division's Boards.

Board recommendation was made to approve all fees as suggested including the establishment of a biennial license fee of \$260.00.

13:44M-5.2 Supervision

Mr. Manning reviewed the list of work tasks comprising the meaning of "minor work" as included in 13:44M-5.2(a).

The Board discussed various options for best defining "minor work", including whether or not to use a list of specific tasks at all, whether to add language allowing for additional discretion on the part of licensees, and whether the definition concept should be reversed to include regulatory language defining "major work" which would require a licensee to be on site initially, leaving all other work to be construed as "minor work".

Discussion shifted to the potential concept of basing definitions on the level of licensee supervision and/or the level of employee experience.

Mr. Manning noted the language added to 13:44M-5.2(b)1 regarding limited use, limited access devices and platform lifts "as these terms are defined in ASME A17.1 (Safety Code for Elevators and Escalators)...".

13:44M-5.6 Identification of licensed elevator mechanic to consumer

Mr. Manning noted the change from "bill" to "invoice" in the language used describing this rule.

4. ADJOURNMENT

Motion made by Mr. Byrnes, seconded by Mr. Wallace, and unanimously passed, to move into Executive Closed Session to approve Executive Session meeting minutes of February 23, 2015 and to review Division of Law billing for first and second quarters of FY2015.

Meeting adjourned at 1:00 P.M.

Respectfully submitted,

David Freed
Executive Director